

35A-8-404 Commissioners -- Appointment -- Terms -- Quorum -- Meetings -- Employment of other officers and employees authorized.

- (1) If a housing authority is authorized to transact business and exercise powers under this part, not less than five nor more than seven people shall be appointed as commissioners of the authority:
 - (a) in the case of a city, by the mayor, with the advice and consent of the city's governing body; or
 - (b) in the case of a county, by the county's governing body.
- (2)
 - (a) The commissioners first appointed under this part shall serve for terms of one, two, three, four, and five years, respectively, from the date of their appointment.
 - (b) After the first commissioners are appointed under Subsection (2)(a), commissioners are appointed for a term of office of four years.
 - (c) Notwithstanding Subsections (2)(a) and (b), all vacancies are filled for the unexpired term.
- (3) A commissioner qualifies by taking the official oath of office.
- (4) A commissioner may not receive compensation except necessary expenses, including traveling expenses, incurred in the discharge of the commissioner's duties.
- (5) A commissioner holds office until the commissioner's successor is appointed and qualified.
- (6) A certificate of appointment or reappointment of a commissioner shall be:
 - (a) filed with the authority; and
 - (b) conclusive evidence of the appointment of the commissioner.
- (7) The powers of each authority are vested in the commissioners.
- (8)
 - (a) A majority of the commissioners of an authority constitutes a quorum for the purpose of conducting its business and exercising its powers and for all other purposes notwithstanding the existence of any vacancies.
 - (b) The authority may take action upon a vote of a majority of the commissioners present, unless the bylaws of the authority require a larger number.
- (9) Meetings of the commissioners of an authority may be held:
 - (a) anywhere within the area of operation of the authority; or
 - (b) within any area not described in Subsection (9)(a) in which the authority is authorized to undertake a project.
- (10) The commissioners of an authority shall elect a chair and vice chair from the commissioners.
- (11) An authority may employ an executive director, legal and technical experts, and other officers, agents, and employees, permanent and temporary, and shall determine their qualifications, duties, and compensation.
- (12) An authority may delegate to one or more of its agents or employees any powers or duties the authority considers proper.

Renumbered and Amended by Chapter 212, 2012 General Session